

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

UNITED STATES OF AMERICA,	§	
	§	
Plaintiff,	§	
	§	Criminal No. 2:16-CR-055-D(01)
VS.	§	
	§	
JUAN DANIEL MARES,	§	
	§	
Defendant.	§	

MEMORANDUM OPINION
AND ORDER

Defendant Juan Daniel Mares' ("Mares'") November 15, 2024 motion for leave to amend motion to modify sentence under 18 U.S.C. § 3582(c)(2) is denied.

I

Mares pleaded guilty to the offense of possession with intent to distribute 50 grams or more of methamphetamine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii). On May 2, 2017 the court sentenced him to 168 months' imprisonment, followed by 4 years of supervised release. On December 4, 2023 Mares filed under 18 U.S.C. § 3582(c)(2) a motion for reduction of sentence based on Amendment 821 to the Federal Sentencing Guidelines. The court denied Mares' motion on January 31, 2024. Mares then filed a notice of appeal and a motion for reconsideration, which the court denied on February 29, 2024. On March 25, 2025 the court of appeals affirmed the January 31, 2024 denial of Mares' § 3582(c)(2) motion, and the mandate was issued on April 16, 2025.

On November 15, 2024, while his appeal was pending, Mares filed the instant motion,

which he docketed as a “motion for leave to amend motion to modify sentence pursuant to [18 U.S.C. § 3582(c)(2)].” The court ordered the government to respond to Mares’ motion, which it did on November 18, 2024. Mares’ reply, had he opted to file one, was due on January 10, 2025.

II

In his motion, Mares seeks a two-level reduction in his offense level under U.S.S.G. § 4C1.1 for “zero-point offenders.” D. Mot. 3. But Mares is ineligible for a sentence reduction because he does not meet all of the criteria set out in U.S.S.G. § 4C1.1(a)(1)-(10). This is because he “possessed, received, purchased, transported, transferred, sold, or otherwise disposed of a firearm or other dangerous weapon (or induced another participant to do so) in connection with the offense.” Probation Amendment 821 Worksheet (ECF No. 45) at 2 (citing U.S.S.G. § 4C1.1(a)(7)).

* * *

Accordingly, the court denies Mares’ November 15, 2024 motion for leave to amend motion to modify sentence under 18 U.S.C. § 3582(c)(2).

SO ORDERED.

April 21, 2025.



SIDNEY A. FITZWATER
SENIOR JUDGE